

6668

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Testimony In Opposition to: HB 6668 Sec 2 RE: *Personal Care Attendant Quality Home Care Workforce Council* Before HS Committee Hearing On Tuesday 3-17-09

Honorable Chairpersons and members of the Committee:

Do not be led to believe that all people with disabilities want this bill!

HB 6668 is a bad bill disguised in a pretty wrapper that can be harmful for people with disabilities. A lot of people are being misled about the consequences if it passes. After the fact, it will be too late to go back.

- The various **Personal Care Assistance (PCA)** programs will become more costly resulting in less hours allotted to the very recipients most in need. Certainly there are problems with existing programs, but this bill will not correct them. HB 6668 will only add to the problems, and the true purpose has been hidden so as to avoid scrutiny.

The PCA programs have always been based on **cost-effectiveness of home care versus institutional care**. They allow people dignity, independence and self-direction, while saving public \$, and that is remarkable.

- **We will lose our empowerment to direct and manage our own care and services.** I am opposed to giving a council authority to hire, train, certify, register, etc., my PCA's. Many of us want to train our own people because our needs are unique to us. Certification means nothing. I've had some CNA's that are useless, and non-certified aides who are wonderful simply because they care as human beings.
- **At a time when there is less money, and programs are being cut, why destroy an existing program that saves money?** I am considered "total care now" because I need help with everything; but I can still self-direct my assistants. If, due to this bill, the State finds it in their interest financially, I'll be placed in a chronic care facility in a heartbeat! I have fought for my independence for too many years to allow it to be taken away under the guise of faceless people supposedly caring about my PCA's.
- I have 8 assistants working anywhere from 3 to 20 hours per week. None feel they need this Council. There is a registry now, and no proof a new registry will be an improvement.
- **Under the existing PCA programs, we, individually, are employers.** We have tax ID #s and are responsible for all our withholdings (albeit Allied is the fiscal intermediary.) Under this proposal, who pays the back-up person? The Council? Does that put us back to the Council being the employer as originally proposed in the 1199 version?
- Will the Council dictate what services PCA's will and will not perform? Will we have to look to the State for additional monies to get services the Council determines PCA's won't do? My aides do housework and cooking now, or whatever I need. Can the Council demand those chores are not in the scope of what PCA's do, therefore requiring a homemaker be hired in addition? Will this result in more costly program, therefore less hours in total for us? We cannot get straight answers from the bill's originators.

- **As someone who has lived with a disability all my life, I can assure you that it is NOT what you pay someone that insures quality care.** Rather quality comes first from mutual respect and concern of the people involved, and then everything else is secondary.

If you approve this bill, you are opening the door to 1199. If the union has its way, they will make the PCA's be employees of the Council and union members. They wrote the original proposal stating " The PCA Quality Home Care Workforce Council shall be considered the employer of personal care attendants". That's so they can control costs and benefits for their members, which they can't do with us as individual employers. It's not a selfless act to help us. **We must continue to be our own employers if we are to remain independent and retain our dignity.**

From the original proposed bill:

C. The PCA Quality Home Care Workforce Council shall be considered the employer of personal care attendants, as defined by and solely for the purposes of said chapter 68. The Council shall have the authority and obligation to bargain and enter into agreements with a representative of personal care attendants that has been designated by the State Board of Labor Relations as the exclusive bargaining agent of such attendants, and through such agreements shall have the authority to establish minimum standards governing such attendants' compensation, including wages and benefits, the form and manner of compensation payments, and other terms and conditions of employment affecting the attendant workforce.....

That language may not now appear in HB 6668, but it will be back - here, or somewhere else, later this session. This is why the bill was introduced, and why 1199 still is pushing it today.

This is really a bill to unionize the care-givers no matter what others claim. The SEIU has been sending organizers into the states to set up these Councils or similar systems. The organizers are less than accurate when they say it works in the other states! Where in effect it's been disastrous for many people with disabilities, and for PCA's who never wanted to join a union and pay dues. **If it's not a unionizing bill, why is the union still lobbying the proposal?** SEIU and 1199 don't normally care about our program unless there's something in it for them.

I believe in unions where workers can be saved from being abused for the sake of the bottom line. However, those of us who need personal care via PCA's are not a Wal-Mart, or Japanese car manufacturer. We are **individuals with disabilities**, each with both similar and yet unique needs, and a desire to live independently. **PCA's help us do every day activities that we cannot do for ourselves.**

Even though they say we can hire and fire under the proposal, can we? Will we only be able to use their members? The original had a "no strike required" clause but that means nothing. What about sick-outs? Will they send a back-up then or I just don't get out of bed that day? Or, "informational picketing" on my street, embarrassing me in front of my neighbors?

With the State having financial problems as is, and people being laid off everywhere, does this bill seem appropriate for right now?

Please remove Section 2 of HB 6668.

Thank you.